

REMARKS

Claims 1-2, 4-22 and 24-39 are pending in the present application. Claims 1, 18, 21 and 35 are independent.

INTERVIEW REQUEST

Applicants hereby officially request a personal interview with the Examiner. Please contact Applicants' representative, Esther H. Chong (Reg. No. 40,953) at 703-205-8074 to schedule the interview prior to the issuance of another action if the present Amendment does not place the application in condition for allowance. This is an official request and should not be ignored by the Examiner.

35 U.S.C. § 103 REJECTION

Claims 1-4, 8-25, and 30-39 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Leiman et al. (U.S. Patent 6,469,976) in view of Murphy et al. (U.S. Patent No. 6,076,110). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

In the Advisory Action, the Examiner maintains that Leiman et al. discloses the feature of indicating the non-suitability of a processing device since Leiman et al. discloses color icons indicating the status of the printer. However, such color icons indicate the general status of the printer (e.g., active, paused, etc.) and do not pertain to the status of the printer for a particular job. That is, in Applicants' claimed invention, the suitability of the processing device of *a defined job* is accessed and then the non-suitability, if present, of the processing device for that job is indicated. This feature is clearly absent from Leiman et al.

In more detail, what Leiman et al. actually teaches is a device that indicates via the GUI “that the print job cannot be printed on the selected printer by not allowing the print option to be selected or by not allowing the print job to be dropped onto the printer icon” (Leiman et al., column 8, lines 15-18). That is, in Leiman et al., the actual reason for the non-suitability of the device for the print job is not at all indicated via the GUI. Instead, when the non-suitability for the particular job is detected, the print option for the print job is merely disabled, i.e., by not allowing the print option to be selected or by not allowing the print job to be dropped onto the printer icon. This means that the operator cannot see the actual reason for the non-suitability of the print job and that the operator cannot make a well-informed decision whether the reason for non-suitability is pertinent for the print job.

In complete contrast, in Applicants’ claimed invention, a reason for the non-suitability of the processing device for the defined job is indicated, as required by each of the independent claims. By indicating the reason for the non-suitability, the operator can make a decision whether or not he wants to print the job on that processing device anyway and possibly overrule the indicated information and execute the print job on that processing device after all. This feature of allowing a non-suitable processing device to be selectable so that it can become the selection (i.e., the selected processing device to perform the defined job) is highlighted in amended claim 1. Thus, claim 1 is further distinguishable over Leiman et al. in view of this feature.

Moreover, Murphy et al. does not overcome at least these deficiencies of Leiman et al. since Murphy et al. is directed to the process of negotiating operations between a server and a

client and merely involves communicating a device name from a client to a server. Thus, even if the references are combinable, assuming *arguendo*, the combination of these references does not render obvious at least the above-noted features as recited in independent claims 1, 18, 21 and 35.

Furthermore, responding to Applicants' second argument (point (2) in the Advisory Action), the Examiner states that Leiman et al. teaches the feature of checking all processing devices belonging to a predetermined set and cites col. 8, ln 19-21. But it should be noted that this portion of Leiman et al. is an alternative embodiment to the embodiment in which the user selects a desired printer.

Accordingly, independent claims 1, 18, 21, and 35 and their dependent claims (do to their dependency) are patentable over the applied references, and the rejection must be withdrawn.

Claims 5-7, 26, and 27-29 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Leiman et al. in view of Murphy et al. and further in view of Applicants' disclosed background art. This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

As discussed above, the combination of Leiman et al. and Murphy et al. does not teach or suggest the invention as recited in independent claims 1 and 21 from which claims 5-7 and 26-29 depend. Furthermore, Applicants' disclosed background art does not overcome this deficiency since Applicants' invention is invented to overcome the limitations of Applicants' background art and the Examiner merely relies on Applicants' disclosed background art to teach a part of a job being a setting of a job.

Therefore, even if the references are combinable, assuming *arguendo*, the combination of reference would still fail to teach or suggest the invention as recited in independent claims 1 and 21 and their dependent claims due to their dependency. Accordingly, the rejection is improper and must be withdrawn.

CONCLUSION

For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and an early issuance of a Notice of Allowance is respectfully requested.


Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

Pursuant to 37 C.F.R. 1.17 and 1.136(a), the Applicants respectfully petition for a three (3) months extension of time for filing a reply in connection with the present application, and the required fee of \$1020.00 is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

Dated: June 15, 2005

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